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PTO/SB/21 (08 Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Application Number** 10/693,241 TRANSMITTAL Filing Date 10/24/2003 **FORM** First Named Inventor Segal, et al Art Unit (to be used for all correspondence after initial filing) 2818 **Examiner Name TBA** Attorney Docket Number 112020.126US2 CN1 NAN-2 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please **Terminal Disclaimer** Extension of Time Request Identify below): Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) 1. PTO Form 1449 (1 pg.) Response to Missing Parts/ 2. Four (4) Publications Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Michael A. Diener Individual name Signature Mula Date 4-12-05 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Tina M. Dougal Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: SEGAL, et al.

Application No.: 10/693,241

Filed: October 24, 2003

For: Device Selection Circuitry Constructed

with Nanotube Technology

Group Art Unit: 2824

Examiner: Dinh, Son T.

Atty Docket No.: 112020.126 NAN-2CN

## **CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 12, 2005.

Tina M. Dougal

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. No certification or fee is believed to be due. If, however, a fee is due, please charge our Deposit Account No. 08-0219.

Appln. No: 10/693,241

SEGAL, et al.

Page 2

## Copies of the listed foreign publications are enclosed.

As is it no longer required, copies of the listed U.S. Patents are not enclosed.

Applicants request that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next communication.

Respectfully submitted,

Dated: April <u>12</u>, 2005

Michael A. Diener Registration No. 37,122 Attorney for Applicants

Wilmer Cutler Pickering Hale and Dorr LLP 60 State Street Boston, Massachusetts 02109 617-526-6000 (telephone) 617-526-5000 (facsimile) Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO	Complete if Known		
O' INFORMATION DISCLOSURE	Application No.	10/693,241	
STATEMENT BY APPLICANT	Filing Date	October 24, 2003	
APR 1 b (Use as many sheets as necessary)	First Named Inventor	SEGAL, et al.	
	Art Unit	2823	
Edward Control	Examiner Name	Dinh, Son T.	
Shear TRAP 1 of 1	Attorney Docket Number	112020.126 NAN-2CN	

		U	. S. PATENT DOCUI	MENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2(If known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,548,841	04-15-2003	FRAZIER et al.	
		US-6,803,840	10-12-2004	HUNT et al.	
		US-6,809,465	10-26-2004	JIN	
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		FOF	REIGN PATENT DOC	UMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2(If known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		WO 03/091486	11-06-2003	Nantero, Inc.	
		WO 04/065655	08-05-2004	Nantero, Inc.	
		WO 04/065657	08-05-2004	Nantero, Inc.	
		WO 04/065671	08-05-2004	Nantero, Inc.	
	<del> </del>				

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner		Date	
Signature	Letter and a Charles and a	Considered	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is established to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.